

Notice of Allowability

Application No.

10/071,578

Examiner

Carol S. Tsai

Applicant(s)

NAKAMITSU ET AL.

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/25/2005.
2. ☒ The allowed claim(s) is/are 35-40, 48-50, and 60-63, now renumbered as 1-13.
3. ☒ The drawings filed on 28 February 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

IN THE CLAIMS:

Claims 1-34, 41-47, and 51-59 have been deleted.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Spinelli on June 23, 2005.

The application has been amended as follows:

IN THE CLAIMS:

In claim 40, line 10, "and said operation related to recovery operations." has been changed to - - and said operation related to recovery operations performed in accordance with a selection by a user. - -.

Allowable Subject Matter

2. Claims 35- 40, 48-50, and 60-63 are allowed.
3. The following is an examiner's statement of reasons for allowance:
U. S. Publication No.2002/0032470 to Linberg is the reference closest to the claimed

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invention. Linberg discloses a maintenance method for performing maintenance with a medical control apparatus, connectable to medical devices used for medical purposes such that said medical control apparatus controls said medical devices, said method comprising: a specifying step for specifying a trouble item; a processing step for performing estimation processing for recovery operations or an operation method for recovering from trouble of an item specified in said specifying step; and a display step for displaying information of recovery operations or a recovery operation method. However, Linberg does not teach performing estimation processing for at least one of recovery operations and an operation related to recovery operations and displaying information of at least one of said recovery operations and said operation related to recovery operations performed in accordance with a selection by a user; and including all of the other limitations in the respective independent claims.

U. S. Publication No.2002/0032470 to Linberg is the reference closest to the claimed invention. Linberg discloses a maintenance method for a medical control apparatus which outputs control information for controlling medical devices to said medical devices used for medical purposes via a communication interface, and receives information of the state of actions from said medical devices via an interface, said method comprising: a maintenance instructing step for instructing maintenance; and a specifying step for specifying at least one trouble item of said plurality of trouble items displayed in said trouble item display step. However, Linberg does not teach a trouble item display step for displaying on a predetermined display device a plurality of trouble items relating to the set-up of said medical device, according to said maintenance instructing step and a display step for displaying countermeasures information for recovering

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from the trouble item specified in said specifying step; and including all of the other limitations in the respective independent claims.

U. S. Publication No.2002/0032470 to Linberg is the reference closest to the claimed invention. Linberg discloses a recording medium storing a program for a maintenance method for a medical control apparatus which outputs control information for controlling said medical devices to the medical devices used for medical purposes via a communication interface, and installs information of the state of actions received from said medical devices via a communication interface in said medical control apparatus, comprising: code for a maintenance instructing step for instructing maintenance; code for a trouble item display step for displaying trouble items relating to said medical devices, according to said maintenance instructing step; code for a specifying step for specifying at least one trouble item of said trouble items displayed in said trouble item display step; code for an estimating step for estimating causes causing said trouble item specified in said specifying step. However, Linberg does not teach code for a priority display step for displaying, with higher priority, countermeasures information estimated in said estimating step to have higher probability of being the cause of said trouble item, as compared with countermeasures information with lower probabilities; and including all of the other limitations in the respective independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol S. W. Tsai whose telephone number is (571) 272-2224.

The examiner can normally be reached on Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571) 272-2216. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).



Carol S. W. Tsai
Primary Examiner
Art Unit 2857

Cswt
June 25, 2005